



ACT
Government

ACT Health

FOI18-82



Dear 

Freedom of information request: FOI18/82

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by ACT Health on 28 September 2018.

In your application you requested:

“All correspondence, briefings or documents held by the department regarding the Robert Griew Nous Group report (excluding the report or draft copies of the report)”

As the Principle Officer of ACT Health, I am authorised to make a decision on access or amendment to government information in the possession or control of ACT Health.

ACT Health was required to provide a decision on your access application by 19 November 2018.

Decision on access

Searches were completed for relevant documents and 87 documents were identified that fall within the scope of your request.

I have included as Attachment A to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

I have decided to grant full access to 6 documents and partial access to 81 documents.

My access decisions are detailed further in the following statement of reasons. The documents released to you are provided as Attachment B to this letter.

I have decided to grant access, under section 50 of the Act, to copies of documents with redactions applied to information that I consider would be contrary to the public interest to disclose.

In reaching my access decision, I have taken the following into account:

- the FOI Act, particularly Schedule 2;
- the content of the documents that fall within the scope of your request;
- the views of relevant third parties; and
- the *Human Rights Act 2004*

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows.

Folios 1-21, 27-28, 30-40, 42-147 and 155 – 316 of the identified documents are composed of, or contain information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in section 17 of the Act as the information contained in these folios is personal information about individuals.

Folios 5, 10, 145, 161, 238 and 315 of the identified documents are composed of, or contain information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in section 17 of the Act as the information contained in these folios would prejudice the trade secrets or business affairs of an agency or individual.

I have identified that there are no factors favouring disclosure of this information under Schedule 2, section 2.1 and I have identified that the following factors favour non-disclosure:

- Schedule 2 2.2 (ii) - prejudice the protection of an individual's right to privacy or any other right under the *Human Rights ACT 2004*.
- Schedule 2 2.2 (xi) – prejudice trade secrets, business affairs or research of any agency or person.

On balance, the information identified is contrary to the public interest and I have decided not to disclose this information.

Charges

Documents identified for release at Attachment B will be provided to you on receipt of payment of fees associated with processing your access application, being \$94.85. An itemised final determination of fees is attached with this letter.

Online publishing – disclosure log

Under section 28 of the Act, ACT Health maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the ACT Health disclosure log not less than three days but not more than 10 days after the date of this decision. Your personal contact details will not be published.

You may view ACT Health's disclosure log at <https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published on ACT Health's disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: ACTFOI@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

If you have any queries concerning the ACT Health's processing of your request, or would like further information, please contact the FOI Coordinator on 6205 1340 or e-mail HealthFOI@act.gov.au.

Yours sincerely

Handwritten signature of Michael De'Ath, consisting of the letters 'K', 'D', and 'a' in a cursive style, followed by a horizontal line.

 Michael De'Ath
Director-General

19 November 2018

FREEDOM OF INFORMATION REQUEST SCHEDULE

Please be aware that under the *Freedom of Information Act 2016*, some of the information provided to you will be released to the public through the ACT Government's Open Access Scheme. The Open Access release status column of the table below indicates what documents are intended for release online through open access.

Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform the contact officer immediately.

Information about what is published on open access is available online at: <https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	File No
[REDACTED]	"All correspondence, briefings or documents held by the department regarding the Robert Griew Nours Group report (excluding the report or draft copies of the report)"	FOI18-82

Ref No	No of Folios	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1 - 2	E-mail with attachment – Draft Governance Diagram	04/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
2	3-4	E-mail	05/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
3	5-6	E-mail	08/06/2018	Partial	Schedule 2, section 2.2 (ii) and (xi)	Yes
4	7-11	E-mail	13/06/2018	Partial	Schedule 2, section 2.2 (ii) and (xi)	Yes

5	12-14	E-mail	18/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
6	15-17	E-mail	18/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
7	18-21	E-mail with attachment – Stakeholder Listing	18/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
8	22-26	E-mail with attachment – Ministerial Brief	20/06/2018	Full		Yes
9	27-28	E-mail	20/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
10	29	E-mail	21/06/2018	Full		Yes
11	30-35	E-mail with attachment – Ministerial Brief	21/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
12	36-40	E-mail with attachment – Stakeholder Listing	21/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
13	41	E-mail	21/06/2018	Full		Yes
14	42-47	E-mail with attachment – Ministerial Brief	21/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
15	48-52	E-mail with attachment – Stakeholder Listing	21/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
16	53	E-mail	21/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
17	54	E-mail	21/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
18	55-63	E-mail with attachment - RFQ	21/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes

19	64-73	E-mail with attachment - RFQ	22/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
20	74-78	E-mail with attachment – Stakeholder Listing	22/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
21	79-81	E-mail	22/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
22	82-93	E-mail with Attachment – RFQ and Stakeholder Listing	22/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
23	94-105	E-mail with Attachment – RFQ and Stakeholder Listing	22/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
24	106-124	E-mail with Attachment – RFQ, Stakeholder Listing, Ministerial Brief and New Governance Arrangements for ACT Health	22/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
25	125	E-mail	24/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
26	126-129	E-mail with attachment – Invite to Griev Consultations	26/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
27	130-132	E-mail	26/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
28	133-135	E-mail	26/09/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
29	136-137	E-mail	26/09/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
30	138-147	E-mail with attachment – RFQ	26/06/2018	Partial	Schedule 2, section 2.2 (ii) and (xi)	Yes

31	148-154	E-mail with attachments – Invite to Griew Consultations, DG-Message Schedule July and Hand out – Robert Griew Consultations	27/06/2018	Full		Yes
32	155-163	E-mail with attachment - RFQ	27/06/2018	Partial	Schedule 2, section 2.2 (ii) and (xi)	Yes
33	164-166	E-mail	27/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
34	167-171	E-mail with attachments - Hand out – Robert Griew Consultations and Invite to Griew Consultations	28/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
35	172-175	E-mail with attachment – Outline fac guide	28/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
36	176-177	E-mail	28/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
37	178-181	E-mail with attachment – Outline fac guide	29/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
38	182-184	E-mail	29/06/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
39	185-193	E-mail with attachment – Short Form Contract	04/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
40	194-196	E-mail	04/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
41	197-198	E-mail	05/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes

42	199-201	E-mail	06/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
43	202-203	E-mail	06/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
44	204-205	E-mail	06/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
45	206-207	E-mail	08/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
46	208-209	E-mail	09/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
47	210-213	E-mail	09/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
48	214-216	E-mail with – Hand Out – Robert Griew Consultations	11/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
49	217-218	E-mail	12/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
50	219-221	E-mail	12/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
51	222-223	E-mail	13/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
52	224-226	E-mail	16/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
53	227	E-mail	17/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
54	228-240	E-mail with attachment – Signed Ministerial Brief	18/07/2018	Partial	Schedule 2, section 2.2 (ii) and (xi)	Yes
55	241-242	E-mail	20/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
56	243-244	E-mail	20/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
57	245-255	E-mail with attachments – Consultation Sessions	20/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes

58	256-258	E-mail with attachment – Medical Associations Unions – ACT Health Nous Consultation Session	21/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
59	259-267	E-mail with attachment – Feedback related to governance and transition	23/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
60	268-270	E-mail	30/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
61	271	E-mail	31/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
62	272-273	E-mail	31/07/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
63	274-275	E-mail	01/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
64	276-277	E-mail	02/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
65	278-279	E-mail	02/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
66	280	E-mail	03/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
67	281	E-mail	03/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
68	282-283	E-mail	04/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
69	284-285	E-mail	06/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
70	286-289	E-mail with attachment – Hand Out – Robert Griew Consultations	07/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes

71	290-292	E-mail with attachment – ACT Health NGO Nous Consultation Session Follow Up Letter	10/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
72	293	E-mail	12/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
73	294	E-mail	12/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
74	295-296	E-mail	20/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
75	297-300	E-mail with attachment – ACT Health Alternate Pictures	26/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
76	301-304	E-mail with attachment – Document Title	26/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
77	305	E-mail	26/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
78	306	E-mail	26/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
79	307-308	E-mail	26/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
80	309-310	E-mail	27/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
81	311	E-mail	27/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
82	312	E-mail	27/08/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
83	313	E-mail	16/09/2018	Partial	Schedule 2, section 2.2 (ii)	Yes

84	314-315	E-mail with attachment - Invoice	19/09/2018	Partial	Schedule 2, section 2.2 (ii) and (xi)	Yes
85	316	E-mail	24/09/2018	Partial	Schedule 2, section 2.2 (ii)	Yes
86	317	E-mail	25/09/2018	Full		Yes
87	318-321	E-mail with attachment – Ministerial Brief	27/09/2018	Full		Yes
Total No of Docs						
87						